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APPLICATION
For Planning Board and Zoning Board of Appeals Approval

CITY OF SOMERVILLE
Joseph A. Curtatone, Mayor
Office of Strategic Planning and Community Development (OSPCD)
City Hall . 93 Highland Avenue . Somerville, MA 02143
617.625.6600 ext. 2500

City Clerk Stamp

Office Use: Case #	PB Date	ZBA Date	Filing Fee	Ad Fee

Please review the application information sheet. Complete applications must be submitted to the City Clerk's Office. Failure to submit all required information is grounds for denial of the request. If this form does not provide adequate space for your response, please attach additional sheets of paper.

1. Applicant or Agent Signature

As Applicant / Agent I make the following representations:
1) The information supplied on and with this application form is accurate to the best of my knowledge.
2) If the use of the property is a nonconforming use, I will furnish proof to the satisfaction of the SPGA that the nonconforming use is legal.
3) I will make no changes to the approved project plans without the prior approval of the SPGA.
4) I will permit Planning Staff to conduct site visits on my property.
5) If the proposed project is subject to linkage (SZO Article 15), I will sign all documents required by the Planning Staff/SPGA governing the amount and the method of payment of the linkage fee.
6) I will return the notice sign or pay for its replacement.

(sign here)

Applicant or Agent Signature. If the Applicant is not the property owner, complete section 16.

2. Property Information

Street Address(es) 343-351 Summer Street	Zoning District(s) CBD and RA	Overlay District(s), if any None	Ward Six (6)
Assessor's: Map 25 / Block D / Lot 33-	If there are multiple MBLs, enter the remainder in Section 5.		
Applicant's Name Strategic Capital Group, LLC	Complete Mailing Address 1264 Main Street, Waltham, MA	Phone Number(s) 781-856-6534	Email arista.roberto@gmail.com
Property Owner's Name Geo. Dilboy VFW Post #529 The Dakota Partners LLC	Complete Mailing Address 371 Summer Street, Somerville 1264 Main St, Waltham, MA	Phone Number(s) 617 666-8794 781 899-4002	Email
Agent's Name (optional) Richard DiGirolamo, Esq.	Complete Mailing Address 424 Broadway, Somerville, MA	Phone Number(s) 617 666-8200	Email digirolamolegal@verizon.net

3. Submission Type

Check all that apply.

☐	Variance
☐	Special Permit (SP)
☐	Special Permit with Design Review (SPD)
☒	Special Permit with Site Plan Review (SPSR)
☐	Planned Unit Development (PUD) – Preliminary Master Plan Submission (PMP) / Special Permit with Site Plan Review (SPSR)
☒	Subdivision or other Site Plan Approval
☐	Comprehensive Permit under MGL Chapter 40B – Inclusionary Housing Development (follow SPSR submission and contact the Housing Director at 617.625.6600 ext. 2560)
☐	Revision to Special Permit (only if certificate of occupancy or final sign-off is not yet received)
☐	Administrative Appeal
☐	Extension of Approval

4. Applicable Section(s) of Zoning Ordinance and Prior Zoning Approvals

You may refer to Inspectional Services Division denial letter for the section of the Zoning Ordinance cited.

Sections 9.13b; 8.8 (5.4); 7.11.5.b.6 & 7.11.1.c (5.3); 8.5 (5.5)

5. Existing Conditions Description

Briefly describe existing structure(s) and/or use(s). Include number of employees, occupants and hours of operation, if applicable.

Lot 36 is in the CBD district and is currently used as an accessory parking lot for the Dilboy VFW Post; it is used daily and on evenings for functions; lots 33-35 are mostly vacant land, which currently contains the MBTA Redline vent shaft

6. Proposal Description

A. Briefly describe any changes in the structure(s) and/or use(s). Include whom the project is intended to serve, expected number of employees, and/or occupants and hours of operation, if applicable.

The site is to be used for a new 2-story VFW Hall that will operate in the same manner that the existing Hall located at 371 Summer Street, as well as a new 4-story, 34-unit, residential building with additional below-grade parking

B. Explain any green building practices that you are using. Please consult the Environmental Protection Agency's Residential Green Building Guide for ideas (www.epa.gov/ne/greenbuildings).

The applicant intends to apply for LEED and Energy Star Certification.

C. Are you demolishing a commercial structure or moving soil? Yes ☒ No ☐

If yes, submit 21E Reports and any other environmental assessment documentation including information on underground tanks. If you hit a tank you must call the Somerville Fire Department immediately.

7. Zoning Data

Refer to the SZO § 2.2 Definitions and SZO § 8 Dimensional Requirements for more information.

Data	Existing	Proposed	Allowed	Existing or Permitted Nonconformity	New Violation	SZO Section Cited
	Fill in both columns: numbers must match those on plans and other attached documentation.		Office Use			
A. Use						
B. # of Dwelling Units*	0 units	34 units				
C. Lot Area	40,316 square feet	40,316 square feet				
D. Lot Area ÷ # of Dwelling Units	N/A sf per du	1,186 sf per du				
E. Gross Floor Area of Footprints of All Buildings	N/A square feet	15,532 square feet				
F. Ground Coverage (E. ÷ C.)	N/A %	37.5 %				
G. Landscaped Area (landscaped area ÷ C.)	%	21.7 %				
H. Net Floor Area** (sum of all usable square feet)	N/A square feet	44,083 square feet				
I. Floor Area Ratio (FAR) (H. ÷ C.)	N/A	1.09				
J. Building Height	N/A feet	27' & 47' feet				
K. Front Yard Setback	N/A feet	67' & 10' feet				
L. Rear Yard Setback	N/A feet	20' & 65' feet				
M. Side Yard Setback (left when you face property)	N/A feet	0 feet				
N. Side Yard Setback (right when you face property)	N/A feet	8 feet				
O. Street Frontage	309 feet	309 feet				
P. # of Parking Spaces	78	113				

Q. # of Bicycle Parking Spaces	0	14				
R. # of Loading Spaces						

* 8 or more dwelling units - determine if Inclusionary Housing, Article 13, applies
** 30,000+ square feet - determine if Linkage, Article 15, applies

8. Checklist of Required Information

This checklist will help you determine what you need to submit with this application form. Find the column for your submission type. The rows contain the number of copies of each item that you must submit. For each item check the column 'included' if you are submitting it or the 'Waiver Requested' column for items that are not applicable to your proposal. Planning Staff may contact you to submit items for which you are requesting a waiver. If your application includes more than one type, submit the greatest number of copies listed.

	Variance	SP / SPD	SPSR	PUD PMP	Subdivision	Revision to SP	Included	Waiver Requested
	# = # of copies I/A = if applicable † = within 50 feet of property			Y = include N/A = not applicable				
Application Form & Supplemental Questions	3	3	3	3	3	3	☒	☐
Denial Letter from Inspectional Services Division	3	3	3	N/A	N/A	N/A	☒	☐
Recorded Deed(s) to all properties involved in the project	Y	Y	Y	N/A	Y	N/A	☒	☐
Filing Fee See fee schedule on application information sheet. Cash, check or money orders payable to the City of Somerville.	Y	Y	Y	Y	Y	Y	☒	☐
Abutter List from neighboring municipality if your property is less than 300' from the Somerville boundary. Obtain list from neighboring municipality of the property owners' names and addresses that are within 300' of your property.	I/A	I/A	I/A	I/A	I/A	I/A	☐	☐
Advertising Fee See fee schedule on application information sheet. Cash, check or money orders payable to the City of Somerville.	Y	Y	Y	Y	Y	Y	Pay at final filing	
Plot Plan (scaled & legible) Plans must be certified by a MA-registered land surveyor or professional engineer indicating total land area, boundaries of subject property, angles dimensions of the site, and north arrow	Y	Y	Y	N/A	Y	N/A	☒	☐
	1 hard copy & 1 electronic copy at initial filing, 10-22 copies at final filing							
Site Plans (include north arrow, date, scale) Information may appear on 1 or multiple drawings such that required details below are clearly visible	Y	Y	Y	Y	Y	Y		
3 Scaled Copies: 1"= at most 40'. If large enclose in a tube. Remaining Copies: Need not be scaled. NO LARGER THAN 11"x17". Electronic Copy in a universal digital format such as PDF.	1 hard copy & 1 electronic copy at initial filing, 10-22 copies at final filing							
Uses present & proposed uses of the land and any buildings	Y	Y	Y	Y	Y	Y	☒	☐
Structures dimensions of existing and proposed buildings or other structures	Y	Y	Y	Y	Y†	Y	☒	☐
Easements & Right-of-Way locations and dimensions of any easements, public or private rights of way, or other burdens, existing or proposed	Y	Y	Y	Y	Y†	Y	☒	☐
Boundary Lines (lot areas and dimensions) of existing and proposed lots within and immediately adjacent to the site	Y	Y	Y	Y	Y	Y	☒	☐
Setbacks from property lines	Y	Y	Y	N/A	N/A	Y	☒	☐
Block and lot numbers existing and proposed	N/A	N/A	N/A	N/A	Y	N/A	☒	☐
Existing Landscaping and Screening location of all existing trees at an 8"+ caliper (note which, if any, will be removed), and species of all planting materials, as well as color, type, and size of any stones, walls, fences, etc.	Y	Y	Y	Y	Y	Y	☒	☐
Proposed Landscaping and Screening location of all trees, quantity, location, size, and species of all planting materials, as well as color, type, and size of any stones, walls, fences, etc.	Y	Y	Y	Y	Y	Y	☒	☐
Parking & Loading Areas number, location, dimensions, driveways, curb cuts, access and sidewalks	Y	Y	Y	Y	Y	Y	☒	☐

(Checklist of Required Information Continued)	Variance	SP / SPD	SPSR	PUD PMP	Subdivision	Revision to SP	Included	Waiver Requested
	# = # of copies Y = include I/A = if applicable N/A = not applicable SPSR-A = SPSR in Assembly Square Mixed-Use District †† = within 500 feet of property							
Circulation vehicular and pedestrian circulation systems	Y	Y	Y	Y	Y	Y	☒	☐
Topography existing and proposed contour elevations with 2' intervals for slopes over 10% and retaining walls	I/A	I/A	Y	Y	Y	I/A	☒	☐
Wetlands ponds and surface water bodies, as defined under the Wetlands Protection Act, M.G.L. Chapter 131	Y	Y	Y	Y	Y	Y	☐	☐
Drainage Plan indicating drainage ways, flows, points of outfall, and impacts of development on affected drainage basins, with contour information at no less than 2' contour intervals	I/A	I/A	Y	Y	Y	I/A	☒	☐
Signage dimensions and locations of proposed and existing signs including colors and materials	I/A	I/A	Y	N/A	N/A	I/A	☐	☐
Outdoor Lighting quantity, location, size, and type of lighting fixtures as well as type and intensity of lighting facilities	I/A	I/A	Y	N/A	N/A	I/A	☒	☐
Historic Structures location and significance	Y	Y	Y	Y	Y	Y	☐	☐
Solid Waste Disposal location and screening of facilities	Y	Y	Y	Y	Y	Y	☒	☐
Mechanical / Utility Systems location, height, and method of screening of all proposed mechanical and electrical system components, exhaust / ventilation systems, transformers, and satellite dishes. If greater than 6' in height, elevations are required.	Y	Y	Y	N/A	N/A	Y	☒	☐
Public Utilities Connections (water, sewerage and drainage) locations, size, direction of flows and adequacy of existing and proposed on-site public utilities	I/A	I/A	Y	Y	Y	I/A	☒	☐
Elevations front, side and rear with vertical height - measure from either lowest point between building and lot line, or 15' from building, to the highest point of roof beam, deck line of a mansard roof or average height between the plate and ridge of a gable, hip or gambrel roof – and description of proposed materials and colors	Y	Y	Y	N/A	N/A	Y	☒	☐
	1 hard copy & 1 electronic copy at initial filing, 10-22 copies at final filing							
Conceptual Floor Plans with square footage and # of units	Y	Y	Y	N/A	N/A	Y	☒	☐
Neighborhood Context Map showing the neighborhood in which the tract lies and any impacts upon the area (scale no less than 1"=100')	N/A	Wire-less only ††	SPS R-A only	Y	Y	N/A	☐	☐
Building Shadow Analysis	I/A	I/A	Y	Y	I/A	N/A	☐	☐
Traffic Analysis	3	3	3	3	3	N/A		
Traffic Study (if less than 25,000 square feet) estimate peak hour traffic volumes generated by proposed use, relation to existing volumes and projected future conditions	N/A	I/A	I/A	I/A	I/A	N/A	☐	☐
Traffic Impact Analysis (if 25,000 square feet or more) prepared by a professional traffic engineer who is registered with the Commonwealth of Massachusetts as a professional engineer in either traffic or transportation engineering, or any individual who has been certified by the Transportation Professional Certification Board, Inc. as a Professional Traffic Operations Engineer (PTOE). No other professional registration or qualification shall substitute for this requirement	N/A	I/A	I/A	I/A	I/A	N/A	☒	☐
Transportation Demand Management Plan	N/A	N/A	SPS R-A only	I/A	I/A	N/A	☐	☐
LEED Worksheet (if greater than 10,000 square feet)	N/A	N/A	SPS R-A only	N/A	N/A	N/A	☐	☐
Conceptual 3-D Model of the Master Plan at 20 scale or alternate scale acceptable to the SPGA	I/A	I/A	SPS R-A only	I/A	I/A	I/A	☐	☐
Photographs of at least 8" by 10" showing the development site and surrounding parcels	I/A	I/A	I/A	I/A	I/A	I/A	☐	☐
Rendering or Computer-Simulated Photograph (from at least 2 prominent locations along the surrounding rights-of-way)	N/A	Wire-less only	N/A	N/A	N/A	N/A	☐	☐

9-15. Supplemental Questions
Answer the supplemental questions for the permit you are seeking.

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16. Certificate of Property Owner – Applicant's Right to Use Property
This form is required if the Applicant is not the owner of the property.

Please be advised that I hereby certify that The Dakota Partners, LLC is the Owner of the Property located at 343 Summer Street, Somerville, Massachusetts and that I am the duly authorized signatory for The Dakota Partners, LLC.

Furthermore I certify that Strategic Capital Group, LLC has the right to use the above-described property for the following purpose(s) subject to compliance with applicable City Ordinances and regulations: for the erection of a 2-story VFW Hall with accessory parking.

Signed this day of December 2009

Owner: The Dakota Partners, LLC

By: _____
Marc R. Daigle, Manager

APPLICATION
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16. Certificate of Property Owner – Applicant's Right to Use Property
This form is required if the Applicant is not the owner of the property.

Please be advised that I hereby certify that George Dilboy VFW Post #529, Inc. is the Owner of the Property located at 351-371 Summer Street, Somerville, Massachusetts and that I am the duly authorized signatory for George Dilboy VFW Post #529, Inc.

Furthermore I certify that Strategic Capital Group, LLC has the right to use the above-described property for the following purpose(s) subject to compliance with applicable City Ordinances and regulations: for the erection of a 4-story multiple dwelling residential building with accessory parking.

Signed this day of December 2009

Owner: George Dilboy VFW Post #529, Inc.

By: _____
Robert Hardy, President

Application Submission Supplement

February 8, 2010

343-351 Summer Street

Applicant:
Strategic Capital Group, LLC

Owners:
Geo. Dilboy VFW Post #529
The Dakota Partners LLC

Agent:
Richard DiGirolamo, Esq.

The following supplement addresses comments raised by the Office of Strategic Planning and Community Development on January 20, 2010:

Completeness of Application

The application is not complete. The following need to be submitted:

1) A subdivision plan for the proposed subdivision of lot 37 (Legal concerns exist. See comment #35 below)

   This subdivision plan is no longer necessary as the plan was revised to eliminate the need for subdivision of Lot 37.

2) Application for the commercial parking facility

   An application for the commercial parking facility is attached herewith as Exhibit 1.

3) Operating information for the commercial parking facility (how many spaces rented, what days of week, what hours, how will make sure space is available for Post events, etc.)

   The VFW Post will use its parking lot for event parking. Twenty (20) of the spaces will be rented monthly to various neighborhood businesses from 6 am to 6 pm, thereby leaving all spaces available for Post events thereafter.

4) Operating information for the VHW Post (how many events per month, how many attendees, use of amplification; how will comply with requirements of a membership organization, hiring of security, monitoring of parking lot etc.) (A calendar of VFW events for last year should be submitted)

   The George Dilboy Post No.529, Inc. - VFW is a non-profit corporation organized on December 12, 1922. Its primary purpose is to serve as a social club for Veterans of Foreign Wars. It has owned and occupied the facility located at 371 Summer Street in Somerville since December 1941. The facility is situated on three levels and consists of a large meeting hall, administrative offices, kitchen and sanitary facilities on one level; and several rooms for distinct social and recreational activities, both passive and active, including the service of alcoholic beverages and a kitchen with sanitary facilities on a second level. There are also storage rooms on a third level.

   Consistent with its charitable orientation, the Post sponsors various charitable endeavors and fund-raising functions. In addition, the Post hosts a variety of member-sponsored events ranging from charity events (such as Habitat for Humanity and Avon walk for cancer) to birthday parties, christenings, communions, graduations, reunions, and funerals. Once-a-year neighborhood wide events, such as the beer and honk festivals are also held. The hall also serves as a polling station. Some events include music both live and amplified, but music is only ancillary to the event. No music concerts are held. Except for very few annually scheduled events, the rest are all booked on a first-come-first-serve basis, a few weeks or a few days in advance. The VFW Post has a license to operate until 1 am. But most evenings they close earlier.

In 2009 the VFW Post hosted approximately 170 of such events, which were ancillary to the Post's main function as a veterans' social club and service organization. The great majority of events have no more than 80 guests, but they range from 20 to over 100 guests. At the beer and honk festivals where the number of guests may be greater the hall is monitored to ensure that capacity is capacity is not exceeded. The 2009 calendar was made available to the Office of Strategic Planning and Community Development staff on January 29, 2010.

VFW members and its auxiliary contribute countless hours of volunteerism in the community, including participation in Make A Difference Day and National Volunteer Week. All events hosted by the Post for which rental payments are made must be sponsored by a member in good standing. In keeping with its non-profit status, the monetary proceeds from these events are used to subsidize its charitable endeavors and maintain its facilities.

VHW Post Facility

The following comments apply to the VHW post:

5) **Parking** – Revise the parking plan for the VFW parking lot to widening spaces along the west side. (This will likely require the reduction of 1 parking space on this side)

   This parking plan was revised and is shown on the Permit Layout and Grading Plan (Dated February 5, 2010), which was submitted with this application.

6) **Dumpster** - Show the area where the dumpster will be located, the type of screening proposed, and how commercial vehicles could access the dumpster.

   The dumpster location and enclosure are shown in the Landscape Plan (dated February 5, 2010), submitted herewith. A space to allow the dumpster to be rolled out of the enclosure for trash pick-up is also shown on this plan.

7) **Fencing** - Revise to show a fence along the property boundary along the Post parking lot. Indicate the type and height of fencing proposed.

   A four-foot fence has been added along the property boundary along the parking lot as shown in the Landscape Plan (dated February 5, 2010), submitted herewith.

8) **Soundproofing** - Indicate what soundproofing measures will be undertaken for the VFW on drawings.

   See proposed wall assembly attached herewith in Exhibit 2

9) **Foyer** - Revise the VFW floor plans to show a foyer at the entrance from the rear parking lot similar to the foyer design at the front parking entrance.

   A foyer was added to the rear door of the VFW hall on the first floor (see Drawing A-302, submitted herewith)

10) **Landscaping** – indicate what will be located in triangular area between the down ramp into the parking lot and the pedestrian walkway. Will landscaping be irrigated? What about islands in parking lot?

The triangular area between the parking garage down ramp and the pedestrian walkway is a concrete slab. A 4-foot ornamental fence will be placed along its edge, as shown in Landscape Plan (dated February 5, 2010), submitted herewith.

Landscaping will be irrigated, including the islands in the parking lot. The irrigation system is described further in Item 33 below.

11) **Occupancy** – indicate the design occupancy of the building.

The total allowed occupancy load for the VFW Post will be 355. The occupancy load of the hall on the first floor will be 180. The occupancy load of the club on the second floor will be 175.

12) **Security, monitoring of parking lot** – how will residents to rear be protected by noise from people exiting the post?

A new 6-foot fence is being installed along the rear lot boundary line as shown in Landscape Plan (dated February 5, 2010), submitted herewith.

13) **Separation between buildings** – what is distance between Post and residential building? Can this be increased?

The distance between the Post and residential building is shown in Drawing A-101, submitted herewith.

Residential Condominiums

The following comments apply to the Residential Condominiums:

14) **Makeup and number of Units** - Provide a unit breakdown including # of bedrooms.

There are a total of 34 residential units in the building. The mix of units by floor and by type is as follows:

	Studio	1-Bedroom	2-Bedroom	Total
1st Floor	5	1	0	6
2nd Floor	3	2	6	11
3rd Floor	3	2	6	11
4th Floor	0	1	5	6
Total	11	6	17	34

15) **Height** – can the 4th floor element closest to the Post be moved north toward the bank?

Moving the fourth floor "book-end" away from its current placement would create an asymmetrical building façade, which from an aesthetic perspective is undesirable.

16) **Air handling** – drawings show 32 (or 35) separate HVAC systems on roof of building. This needs to be changed to reduce visual and noise pollution. Please let us know the options.

The building will have 34 individual condenser units, which will be installed at the center of the flat 4th floor roof. These units are roughly 30 inches tall and will not be visible from street level.

Individual condenser units, rather than a single central unit, are being installed to minimize noise impact to the area. Unlike a single central unit, which is typically installed in a commercial building, individual units are only a fraction of the size of a central unit, and therefore, much quieter. In addition, the probability of these units operating all at the same time is very low. The condenser units will not exceed the maximum noise levels set by the code.

17) **Roof deck** – needs to be screened from neighborhood. Add fencing and trellis with vines to plan. If 4th floor element can be moved, that will reduce the size of the deck. Will need to add condition related to night time noise and activity.

Roof decks are set 10 feet from the building edge. A railing around the decks will prevent residents stepping off the decks and getting closer to the building edge.

18) **Ramp to parking** – is unclear how will be made safe so people cannot fall onto ramp. Have you discussed with ISD?

A continuous fence will be installed on top of the concrete retaining wall as shown on the Landscape Plan, dated February 5, 2010, submitted herewith.

19) **Ground floor units** – conditions will make clear that these are for residential purposes only. If amendment needed, will need to revise permit.

No comment

20) **Garden area at front of building** – this is expected to be open area; indicate if any changes are proposed

The garden areas at front of building will be screened from each other (between residential units) via a decorative fence. A short railing will be installed along the street side, which will provide a sense of connection to the neighborhood. At the same time the railing will provide enough of a barrier to afford the homeowner a feeling of security. The garden areas will be generously landscaped in order to beautify the building.

21) **Parking** #1 - Will the parking spaces be sold separately or will they be bundled with the units? Are buyers required to buy both parking stalls in a tandem stall?

Parking spaces will be bundled with the units. Tandem spaces will be used as a marketing incentive as these are more desirable than single spaces.

22) **Parking #2 -** Can the foot print of the parking garage to be extended to accommodate all residential and residential guest parking needs?

No

23) **Parking #3 -** Need to add an intercom at the driveway to allow guests to call up and gain access to the garage if there is guest parking inside.

There will be no guest parking spaces in the garage.

24) **Parking #4 –** there does not appear to be direct egress from the garage to outside. Is this code compliant?

There are two staircases from the garage which both lead to the outside.

25) **Bicycle Parking -** There does not appear to be bike parking for those who do not buy a parking stall except for a limited number on the first floor, is this correct?

There are 29 bicycle hooks in the garage and a bicycle room on the first floor of the building which can accommodate five bicycles. Additionally, bicycle racks are provided at the rear of the VFW Post building.

26) **Noise –** how will residential units be protected from noise in the parking lot? This affects units at rear and on 2nd floor above garage.

An insulation assembly that exceeds code will be installed between the underground garage ceiling and first floor and between the exposed first floor ceiling and second floor.

Comments from Design Review Committee

27) The formal, emphasized entrance takes away from the effort to reduce the scale of the building; however, a main entry is important.

In deference to the staff of the Office of Strategic Planning and Community Development, a strong front entrance identity is provided via a large canopy.

28) It may be difficult to rent first floor units because of privacy issues with large windows - reconsider the windows on the ground floor

The windows on the first floor were made smaller per the Design Review Committee's recommendation.

29) The outdoor patio space is too open - they need a low wall, open low fence or shrubs as a buffer

Refer to response in Item 20 above.

30) Questioned the quality of the materials for a historically referential building - try clapboard or different elements on façade

The proposed materials are appropriate for the building's architectural style.

31) Try moving the 4th story over to create an asymmetric building

Refer to response in Item 15 above.

32) Show the street elevation along Summer St with the bank and residential neighbors

The elevation along Summer Street, including bank building and residential neighbor is included herewith.

33) Address the water management of the site

All of the site runoff is being captured and directed into underground chambers, which the discharges the runoff into the ground and recharges the water table. The runoff from the roof of the residential building will be captured and held in an underground tank, which will be used for irrigation purposed. Any overflow from the tank will be directed into the underground water chambers.

34) The proportion of the stories of the VFW work but soften the first story with inoperable windows on the Summer St side of the building

Windows have been added to the first floor front façade of the VFW Post building (see Drawing A-302 included herewith).

Entire Project

35) **Access across bank easement** – law office is concerned that easement does not allow for proposed use/access to separate parcel. Is significant issue for the bank. Unless applicant can show lawful access, may need to create new entrance to parking. In addition, after legal issue is addressed, there is a significant traffic safety concern to be addressed.

Access to the rear parking lot has been changed. Access is now through the existing curbcut (see Drawing A-101, included herewith). This new access arrangement was discussed between David Giangrande of Design Consultants, Inc. and Terry Smith of the City's Traffic and Parking Department.

David Giangrande explained that the two adjacent curb cuts would be maintained and separated by butterflied curb corners. Because Summer Street is one way and the Post curb cut is one way there will be no conflict between the two drives. Terry Smith agreed that this new arrangement was a significant improvement over the prior proposal.

36) **Traffic Study** #1 – traffic study needs to include VHW as part of calculations including the fact that will have 2 bars where now they have one. (right now is in background, but will there be increased utilization?) The document should be explicit regarding assumptions.

Updated traffic study was prepared by Design Consultants, Inc. (see attached traffic study attached hereto as Exhibit 3)

37) **Traffic Study #2** – needs to take into account that the Cutter Ave exit will no longer be accessible. This will change traffic on Summer Street. Also need to explain how will be designed to stop drivers from trying to make a sharp (and unsafe) right onto the easement when exiting the post parking.

Given the change in access to the rear parking lot, this issue is no longer applicable.

38) **Traffic Study #3** – needs to address pedestrian safety at ramp from parking deck (will there be sufficient visibility, landing area for cars to stop and look for pedestrians) and adjacent to bank (how can bank, post, and residential traffic coexist safely in this location)

Updated traffic study was prepared by Design Consultants, Inc. (see attached traffic study attached hereto as Exhibit 3) addresses visibility and safety of these locations.

39) **Traffic Study #4** - needs to address the alignment of the driveways relative to the streets.

Updated traffic study was prepared by Design Consultants, Inc. (see attached traffic study attached hereto as Exhibit 3) addresses the alignment of the driveways relative to the streets.

40) **Parking allocation** – need to be clear about which spaces for residential, vistors, post, and commercial parking.

All underground parking spaces will be allocated to the residents of the building. One surface parking space will be allocated to a resident. There are five visitor spaces in the rear of the residential building.

Twenty parking spaces in the rear lot will be allocated as commercial rental spaces from 6 am to 6 pm (see attached parking license application in Exhibit 1).

All of the rest of the spaces, including those allocated as commercial rental spaces, will be allocated to the VFW Post for member and event parking.

41) **Traffic mitigation** – T&P want applicant to repair broken walk sign at Cutter and Summer.

Based on a conversation with the Traffic and Parking Department, this item is no longer required.

42) **Sidewalk depth** – should the sidewalk be expanded?

Expanding the sidewalk would be inconsistent with the current street line.

43) **Curb cuts** – two of the curb cuts are in the RA Zone. Have you met with DPW to discuss?

Preliminary discussions with DPW indicate that DPW will not object to moving one of the existing curb cuts from the CBD zone of the lot to the residential zone of the lot.

44) **Parking study** – neighbors have requested that an on street parking study be prepared.

Based on the traffic study, which concludes that the project will have minimal impact on the neighborhood, a parking study is not warranted.

45) **Modular construction** – we do not believe project should be built using modular construction. There are no lay down areas in the neighborhood and Summer Street is very narrow and we do not believe it has the capacity to handle wide load trucks. Costs of stick built construction are not much different than modular.

A decision on the construction means and methods has not been made.

46) **Construction mitigation** – will need to be conditions relative to construction hours, parking of worker vehicles, etc. Will need to discuss.

A proposed Construction Management Plan is attached herewith as Exhibit 4.

Exhibit 1

Application for Commercial Parking License

Applicant:
George Dilboy Post No.529, Inc.

Owners:
George Dilboy Post No.529, Inc.

Agent:
Richard DiGirolamo, Esq.

Property Address:
343-351 Summer Street
Somerville, MA

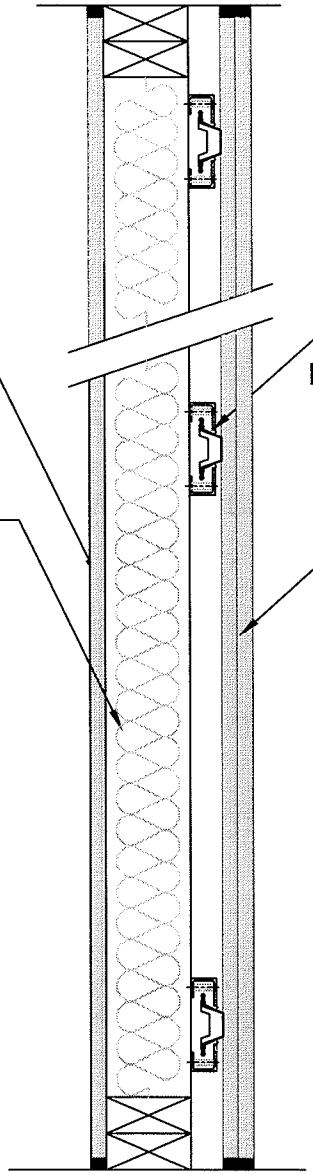
The George Dilboy Post No.529, Inc. is hereby respectfully applying for a commercial parking license for 20 cars in a parking facility at 343-351 Summer Street, as shown the on Permit Layout and Grading Plan produced by Design Consultants, Inc. dated February 5, 2010. This parking facility is being created as part of a larger development, which is being permitted concurrently to this request, and which comprises Lots 33 through 36, on Map 25 and Block D.

These parking spaces will be rented from 6 am to 6 pm. After these hours the parking spaces will be used for events at The George Dilboy Post No.529, Inc.

Exhibit 2

Proposed Wall Assembly for VFW Post

The proposed exterior wall assembly for the new VFW Post will be similar to those shown in the attached samples. Both samples exceed code requirements.



STC 61

KINETICS Noise Control	TITLE	LAST DATE REVISED	REVISED BY	DRAWING NO.
	TEST E2-b	11-11-04	JAE	E2-b

RIVERBANK ACOUSTICAL LABORATORIES
OF
IIT RESEARCH INSTITUTE
1512 S. BATAVIA AVENUE
GENEVA, ILLINOIS 60134
630/232-0104
FOUNDED 1918 BY
WALLACE CLEMENT SABINE

REPORT

FOR: Kinetics Noise Control

Sound Transmission Loss Test
RAL™-TL02-35

ON: Kinetics Wall Isolation Clip on
2 x 4 Timber Framing 16 Inches on Center
With Single Layer 5/8 Inch Gypsum Board Direct
and Double Layer 5/8 Inch Gypsum Board on Clips

CONDUCTED: 21 February 2002

TEST METHOD

Unless otherwise designated, the measurements reported below were made with all facilities and procedures in explicit conformity with the ASTM Designations E90-99 and E413-87, as well as other pertinent standards. Riverbank Acoustical Laboratories has been accredited by the U.S. Department of Commerce, National Institute of Standards and Technology (NIST) under the National Voluntary Laboratory Accreditation Program (NVLAP) for this test procedure. A description of the measuring technique is available separately.

DESCRIPTION OF THE SPECIMEN

The test specimen was designated by the client as Kinetics Wall Isolation Clips on 2 x 4 timber framing 16 inches on center with single layer 5/8 inch gypsum board direct and double layer 5/8 inch gypsum board on clips. The overall dimensions of the specimen as measured were 4.27 m (168 in.) wide by 2.74 m (108 in.) high and 171 mm (6.75 in.) thick. The specimen was installed directly into the laboratory's 2.74 m (9 ft) by 4.27 m (14 ft) wood-lined steel frame and was sealed on the periphery (both sides) with a dense mastic.

The description of the specimen was as follows: The test specimen consisted of a two-by-four wood stud wall assembly with 159 mm (6.25 in.) thick R-19 fiberglass and a single layer of 16 mm (0.625 in.) Type X gypsum board on the receive side. Kinetics Wall Isolation Clips and hat track were used on the source side with a double layer of 16 mm (0.625 in.) Type X gypsum board. A more complete description follows.

Floor and Ceiling Plates: The two 89 mm (3.5 in.) wide by 38 mm (1.5 in.) thick and 4.27 m (168 in.) long SPF wood plates were attached to the top and bottom of the test frame with 16d nails on 610 mm (24 in.) centers.

Studs: The twelve 89 mm (3.5 in.) wide by 38 mm (1.5 in.) thick and 2.67 m (105 in.) long SPF wood studs and runners were spaced on 406 mm (16 in.) centers. The studs were attached to the frame with 8d nails.

Insulation: The cavities formed by the studs were friction fit with R-19 unfaced fiberglass insulation batts measuring 159 mm (6.25 in.) thick and 381 mm (15 in.) wide.

Kinetics Wall Isolation Clips and Hat Track: On the source side of the wall, Kinetics Wall Isolation Clips were attached to studs on 610 mm (24 in.) centers vertically and on 1.22 m (48 in.) centers horizontally. The bottom row of clips was installed 76 mm (3 in.) from the bottom of the test frame. Clips in subsequent rows were staggered 406 mm (16 in.) vertically from adjacent rows. All clips were attached to studs with two 51 mm (2 in.) long coarse thread drywall screws. A total of thirty clips were used. The hat track was 25 gauge roll-formed furring channel which measured 22 mm (0.875 in.) deep by 65 mm (2.56 in.) wide. Six rows of track were mounted to the clips and were overlapped 152 mm (6 in.) and double wire tied with 18 gauge tie wire as necessary.

Gypsum Wallboard: A double layer of 16 mm (0.625 in.) Type X gypsum board was applied to the hat track on the source side of the wall. The base layer was applied horizontally and the face layer was applied vertically with fasteners on 305 mm (12 in.) centers. The gypsum board was attached using 25 mm (1 in.) and 41 mm (1.625 in.) long Type S bugle head drywall screws, respectively. A single layer of 16 mm (0.625 in.) Type X gypsum board was applied vertically to the studs on the receive side of the wall and attached using 41 mm (1.625 in.) Type W bugle head drywall screws on 305 mm (12 in.) centers. All joints were treated with an acoustical caulk in the joints and covered with aluminum faced tape. Screw heads were covered with tape.

The weight of the specimen as measured was 530.3 kg (1,169 lbs.), an average of 45.4 kg/m^2 (9.3 lbs/ft^2). The transmission area used in the calculations was 11.7 m^2 (126 ft^2). The source and receiving room temperatures at the time of the test were 21±2°C (70±2°F) and 59±2% relative humidity. The source and receive reverberation room volumes were 179m^3 (6,298 ft^3) and 177 m^3 (6,255 ft^3), respectively.

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WALLACE CLEMENT SABINE

REPORT

Kinetics Noise Control

RAL™-TL02-35

21 February 2002

TEST RESULTS

Sound transmission loss values are tabulated at the eighteen standard frequencies. A graphic presentation of the data and additional information appear on the following pages. The precision of the TL test data is within the limits set by the ASTM Standard E90-99.

FREQ.	T.L.	C.L.	DEF.	FREQ.	T.L.	C.L.	DEF.
100	33	0.35	0	800	63	0.37	0
125	37	0.28	8	1000	63	0.29	1
160	42	0.26	6	1250	65	0.22	0
200	46	0.33	5	1600	64	0.25	1
250	52	0.37	2	2000	61	0.20	4
315	57	0.32	0	2500	64	0.18	1
400	59	0.34	1	3150	67	0.16	0
500	61	0.33	0	4000	69	0.14	0
630	61	0.36	1	5000	71	0.11	0

STC=61

ABBREVIATION INDEX

FREQ. = FREQUENCY, HERTZ, (cps)
T.L. = TRANSMISSION LOSS, dB
C.L. = UNCERTAINTY IN dB, FOR A 95% CONFIDENCE LIMIT
DEF. = DEFICIENCIES, dB<STC CONTOUR
STC = SOUND TRANSMISSION CLASS

Tested by _____ Approved by _____

Dean Victor
Senior Experimentalist

David L. Moyer
Laboratory Manager

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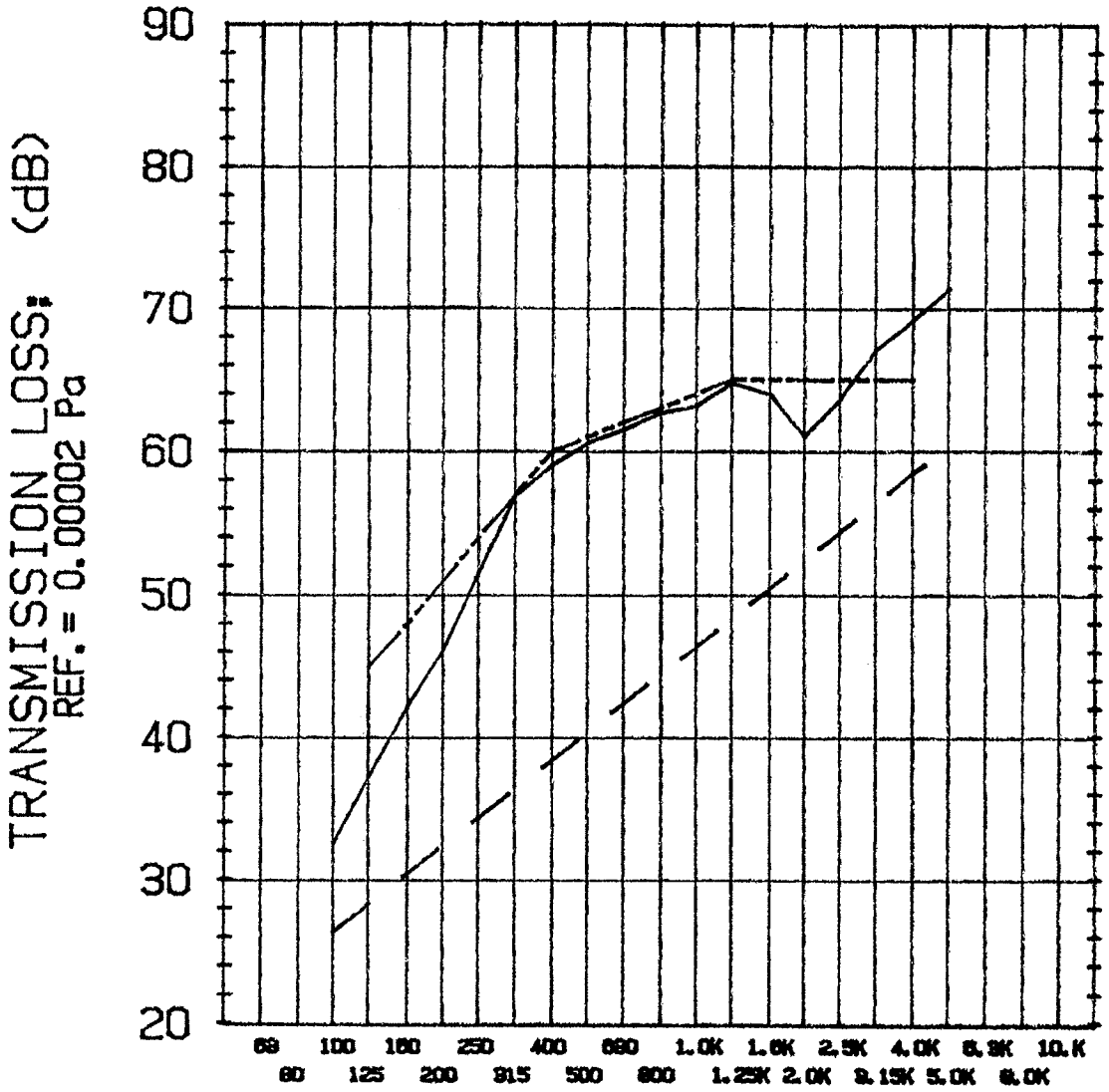
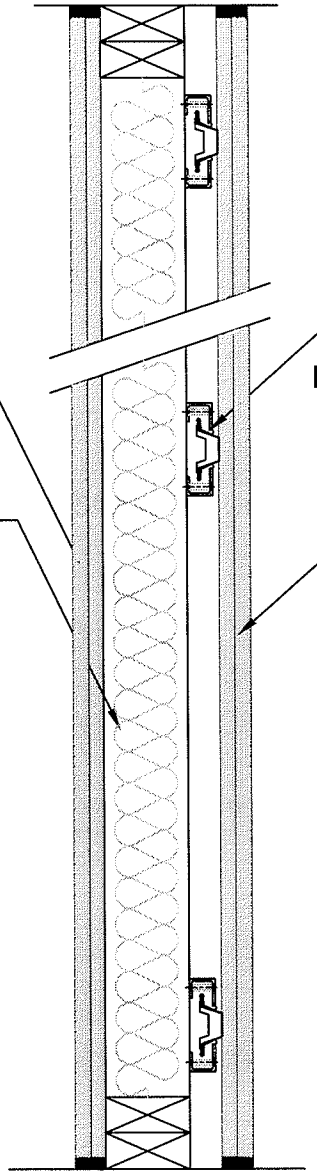
REPORT

TRANSMISSION LOSS REPORT
RAL-TL02-35





STC 64

KINETICS Noise Control	TITLE	LAST DATE REVISED	REVISED BY	DRAWING NO.
	TEST E2-c	11-11-04	JAE	E2-c

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1512 S. BATAVIA AVENUE
GENEVA, ILLINOIS 60134

630/232-0104
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REPORT

FOR: Kinetics Noise Control

Sound Transmission Loss Test
RAL™-TL02-40

ON: Kinetics Wall Isolation Clip on
2 x 4 Timber Framing 16 Inches on Center With Double
Layer 5/8 Inch Gypsum Board Each Side

CONDUCTED: 21 February 2002

TEST METHOD

Unless otherwise designated, the measurements reported below were made with all facilities and procedures in explicit conformity with the ASTM Designations E90-99 and E413-87, as well as other pertinent standards. Riverbank Acoustical Laboratories has been accredited by the U.S. Department of Commerce, National Institute of Standards and Technology (NIST) under the National Voluntary Laboratory Accreditation Program (NVLAP) for this test procedure. A description of the measuring technique is available separately.

DESCRIPTION OF THE SPECIMEN

The test specimen was designated by the manufacturer as Kinetics Wall Isolation Clip on 2 x 4 timber framing 16 inches on center with double layer 5/8 inch gypsum board each side. The overall dimensions of the specimen as measured were 4.27 m (168 in.) wide by 2.74 m (108 in.) high and 187 mm (7.375 in.) thick. The specimen was installed directly into the laboratory's 2.74 m (9 ft) by 4.27 m (14 ft) wood-lined steel frame and was sealed on the periphery (both sides) with a dense mastic.

The description of the specimen was as follows: The test specimen consisted of a two-by-four wood stud wall assembly with 159 mm (6.25 in.) thick R-19 fiberglass and a double layer of 16 mm (0.625 in.) Type X gypsum board on each side. Kinetics Wall Isolation Clips and hat track were used on the source side. A more complete description follows.

Floor and Ceiling Plates: The two 89 mm (3.5 in.) wide by 38 mm (1.5 in.) thick and 4.27 m (168 in.) long SPF wood plates were attached to the top and bottom of the test frame with 16d nails on 610 mm (24 in.) centers.

Studs: The twelve 89 mm (3.5 in.) wide by 38 mm (1.5 in.) thick and 2.67 m (105 in.) long SPF wood studs and runners were spaced on 406 mm (16 in.) centers. The studs were attached to the frame with 8d nails.

Insulation: The cavities formed by the studs were friction fit with R-19 unfaced fiberglass insulation batts measuring 159 mm (6.25 in.) thick and 381 mm (15 in.) wide.

Kinetics Wall Isolation Clips and Hat Track: On the source side of the wall, Kinetics Wall Isolation Clips were attached to studs on 610 mm (24 in.) centers vertically and on 1.22 m (48 in.) centers horizontally. The bottom row of clips was installed 76 mm (3 in.) from the bottom of the test frame. Clips in subsequent rows were staggered 406 mm (16 in.) vertically from adjacent rows. All clips were attached to studs with two 51 mm (2 in.) long coarse thread drywall screws. A total of thirty clips were used. The hat track was 25 gauge roll-formed furring channel which measured 22 mm (0.875 in.) deep by 65 mm (2.56 in.) wide. Six rows of track were mounted to the clips and were overlapped 152 mm (6 in.) and double wire tied with 18 gauge tie wire as necessary.

Gypsum Wallboard: A double layer of 16 mm (0.625 in.) Type X gypsum board was applied to the hat track on the source side of the wall. The base layer was applied horizontally and the face layer was applied vertically with fasteners on 305 mm (12 in.) centers. The gypsum board was attached using 25 mm (1 in.) and 41 mm (1.625 in.) long Type S bugle head drywall screws, respectively. A double layer of 16 mm (0.625 in.) Type X gypsum board was applied to the studs on the receive side of the wall. Both layers were installed vertically and attached using 32 mm (1.25 in.) and 41 mm (1.625 in.) Type W bugle head drywall screws, respectively, on 305 mm (12 in.) centers. All joints were treated with an acoustical caulk in the joints and covered with aluminum faced tape. Screw heads were covered with tape.

The weight of the specimen as measured was 675.0 kg (1,488 lbs.), an average of 57.6 kg/m^2 (11.8 lbs/ft^2). The transmission area used in the calculations was 11.7 m^2 (126 ft^2). The source and receiving room temperatures at the time of the test were 22±1°C (71±1°F) and 61±1% relative humidity. The source and receive reverberation room volumes were 179m^3 (6,298 ft^3) and 177 m^3 (6,255 ft^3), respectively.

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REPORT

Kinetics Noise Control

RAL™-TL02-40

21 February 2002

TEST RESULTS

Sound transmission loss values are tabulated at the eighteen standard frequencies. A graphic presentation of the data and additional information appear on the following pages. The precision of the TL test data is within the limits set by the ASTM Standard E90-99.

FREQ.	T.L.	C.L.	DEF.	FREQ.	T.L.	C.L.	DEF.
100	39	0.17	0	800	65	0.33	1
125	43	0.22	5	1000	66	0.30	1
160	47	0.29	4	1250	67	0.20	1
200	50	0.41	4	1600	66	0.23	2
250	54	0.38	3	2000	63	0.19	5
315	59	0.30	1	2500	66	0.18	2
400	61	0.35	2	3150	69	0.16	0
500	63	0.34	1	4000	71	0.13	0
630	65	0.34	0	5000	74	0.11	0

STC=64

ABBREVIATION INDEX

FREQ. = FREQUENCY, HERTZ, (cps)
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REPORT

TRANSMISSION LOSS REPORT
RAL-TL02-40

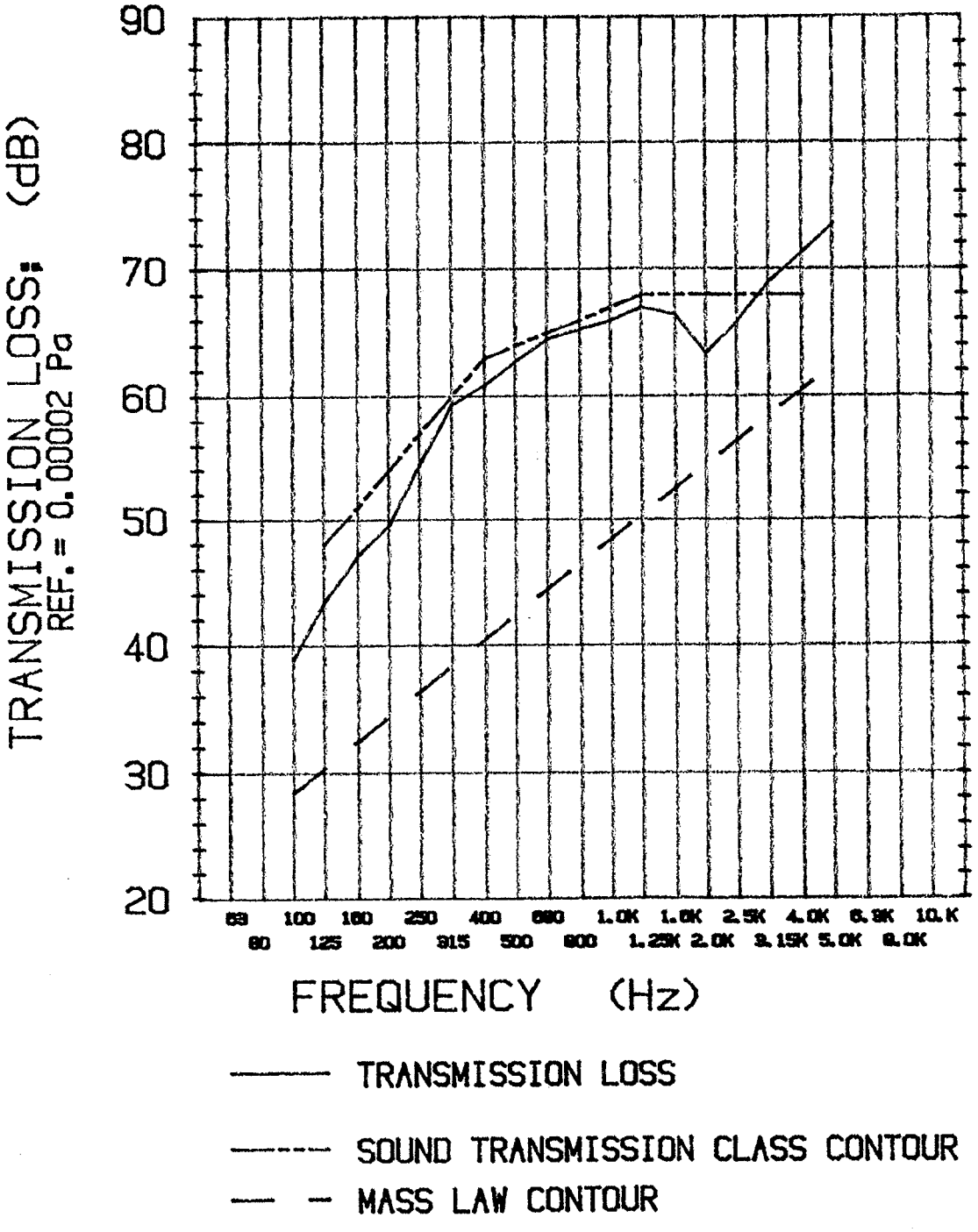

Exhibit 3

Updated Traffic Study

Exhibit 4

CONSTRUCTION MANAGEMENT PLAN

343-351 Summer Street

Project Overview

It is anticipated that construction of the project will begin in the Summer of 2010. The entire project should be completed and ready for occupancy by the Summer of 2011.

Site Control

A safety fence along the entire perimeter of the site will be maintained with gated access during construction. During the framing stage and thereafter the areas immediately adjacent to the rear of the residential building will be used for material storage. All such areas will be segregated from public access by fencing that will be locked when there is no construction activity on site.

Hours of Operation

To ensure compliance with section 9-116 of the City of Somerville Municipal Code (Noise Ordinance), the normal work day shall begin no earlier than 7:00 AM Monday through Friday. Exterior work shall not extend beyond the hours noted within Section 9-116, and all material deliveries shall comply with the work hours noted therein. It is anticipated that during the excavation stage through the time that the building is closed in, i.e., framed and roofed with windows and doors installed, that work will end at 4:00 PM. It is expected that some work will be performed on Saturdays, to accelerate the project or make up for inclement weather delays. If work is to be done on Saturdays or state/ federal holidays that work shall not begin before 8:00 AM. Under no circumstances will work be performed on Sundays consistent with municipal ordinance.

Traffic Management

Notice will be sent to all suppliers of building materials advising them not to use Elston, St. James or Windom Streets when making deliveries to, or exiting from, the site. The notice will also include directions, both narrative and pictorial, on how to access the site from all four compass points.

Taking into account the conditions of the ZBA decision, the existing travel restrictions and prohibitions, and the desire to plan for minimal impact by using the shortest available route the contractor has planned for flow of materials and goods to the site according to the following routes as depicted on a Route Map as described below:

Access route to the project site:

1. Vehicles will be directed to Rte 2A Massachusetts Avenue to Russell Street (in Cambridge).

2. Travel on Russell Street (Cambridge)/ Cutter Avenue (Somerville) for .22 miles [1175 ft].

3. Turn right onto Summer Street (a one way street). Travel on Summer Street for .07 miles [360 ft] to project site on left at 343 Summer Street.

Egress from the project site:

1. Vehicles will be directed to enter from the project site and turn left onto Summer Street (a one way street).

2. Travel on Summer Street for .09 miles [500 ft] to Willow Avenue.

3. Turn left on Willow Avenue and travel .09 miles [500 ft] to Highland Avenue.

4. Turn left on Highland Avenue and travel .33 miles [1750 ft] to Dover Street.

5. Enter Dover Street (a one way street) and travel .27 miles [1430 ft] (crossing Cambridge city line) to Rte 2A Massachusetts Avenue.

Construction Parking

It is anticipated that the parking lot to the west of the site will be built at the commencement of construction. This will serve as parking for subcontractors. This arrangement should enable the contractor to comply with the requirement that neither the contractor nor any subcontractors park on residential side streets.

Once the foundation is excavated, formed, poured and backfilled, there will be additional space behind the residential building to provide for additional parking.

In the event, that construction requires any on-street workspace, the contractor/ developer will secure the necessary permits from the Traffic & Parking and Public Works Departments. The contractor/developer will also replace the sidewalk along Summer Street, if damaged by its construction activity.

Contact Person

The Contractor will employ both a project manager and project superintendent. The project superintendent will be on site every day to direct the operation and coordinate the activities of the sub-contractors. He will be the first line of response to deal with unforeseen circumstances. The project manager will have overall responsibility for completing the project in a professional and timely manner. A current list of contact names and numbers will be submitted to, and maintained with, the Planning Department and the Ward Alderman.

Amendments to the Plan

This Plan is a working document and is intended to establish a baseline condition for protection of the neighborhood from the possible adverse effects that may result from,

or during, construction. It may be augmented from time to time by mutual agreement as circumstances warrant.